



Homeless Advocacy Project

A legal aid project of the Philadelphia Bar Association

42 South 15th Street, 4th Floor
Philadelphia, PA 19102
(215) 523-9595
(800) 837-2672
Fax: (215) 981-3866
Email: marsha@philalegal.org
www.homelessadvocacyproject.org

Executive Board

President
E. Blaine Stanley

Ashely M. Chan
Ethan D. Fogel
Kenneth L. Gibb
Laura Grossi-Tyson
Stephen Harvey
Michael D. LiPuma
Mark Momjian
Jeffrey P. Palazzese
Marnie E. Simon
Scott P. Towers

Board of Directors
Robert W. Ashbrook
Sara M. Brandes
Joseph J. Centeno
Charles A. Ercole
Christopher C. Fallon, Jr.
Wanda E. Flowers
Jack L. Foltz
Ellen T. Greenlee
Michael B. Hayes
Erick J. Kirker
Kenneth M. Kulak
Lori L. Lasher
Janice H. Levin
Susan Meier
Margaret A. Morris
Constance Naylor
Brian S. North
Grant S. Palmer
Caitlin M. Piccarello
Nancy W. Rogers
Carol Nelson Shepherd
Madeline M. Sherry
Julius M. Steiner
Kevin D. Stepanuk
Thomas J. Wamser
Laura I. Weinbaum
James L. Womer
Geanne K. Zerkowitz

Ex Officio
Gregory Kleiber
Joseph A. Sullivan

Executive Director
Marsha I. Cohen

Managing Attorney
Michele Levy

Staff Attorneys
Laura Kolb
Patricia Malley
Margaret Retz
Morgen Smith
Michael Taub

Paralegal
Max Steklenev

Development Director
Andrea Bloch

Administrative Assistant
Margianne P. Smith

November 19, 2009

VIA ELECTRONIC SUBMISSION

Marlene H. Dortch
United States Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Re: **WC Docket No. 03-109**
Lifeline Program "One-per-Household" Rule

Dear Ms. Dortch:

My name is Marsha Cohen, and I am the Executive Director of Philadelphia Homeless Advocacy Project (HAP). HAP is a legal services agency providing free civil legal services to 2,000 homeless men, women, and children living in Philadelphia homeless shelters each year. We write to urge the Federal Communications Committee to amend the "one-per household" rule in order to meet the intended goals of the Universal Service Lifeline Program. As the eligibility requirements are written, too many intended beneficiaries remain unable to access wireless service.

The Federal Communications Commission (FCC) initiated the Lifeline discount phone service program in 1984 to ensure that every American had telephone service during a potential emergency. During the pre-wireless era, consumer advocates generally encouraged the one-per-household rule because most telephone communication occurred within the home. This regulation prevented double-dipping, where one individual would have access to more than one line. In 1984, residency was an appropriate eligibility criterion; however, technology has changed the way people communicate.

Today, roughly 90% of Americans use at least one cell phone. Realizing the rampant increase in wireless phone usage, Lifeline began offering wireless subsidies. The addition of wireless service aimed to make telephone communication available to all low income persons, including those who reside in homeless shelters. While making the transition to increased wireless services, unfortunately, Lifeline maintained the "one-per-household" restriction. The program failed to recognize the move from in-home telephone usage to individual phone usage. Therefore, today the

"...helping to break the cycle of poverty and homelessness."

rule acts as a restriction on individual usage by preventing low income persons living in congregant shelters from accessing the benefits of Lifeline.

The fact that 90% of Americans use at least one cell phone has decreased the prevalence of public pay phones. This decrease adversely affects people who often depend on public pay phones as their only means of communication. Additionally, a cell phone is the most convenient means of communication for people living on the streets. Many homeless persons have unreliable mailing addresses leaving federal, state, and local aid organizations frustrated by an inability to adequately communicate and provide available services to the indigent. Many homeless persons qualify for available aid, whether it is monetary, food stamps, housing, or other legal or financial services. This aid could help them transition into permanent housing, yet they remain homeless because they are "off-the-grid." The cell phone remedies this problem by providing homeless people with a reliable means of communication. Finally, cell phones provide additional security while traveling, when sick, or during emergencies. A cell phone is no longer a luxury item, for most Americans it has become a necessary aspect of their lives.

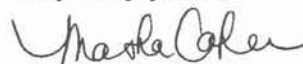
At HAP, convenient client communication is paramount. Many homeless or indigent clients are eligible for aid that could potentially lead to permanent housing and an end to life on the streets. Unfortunately, many clients lose contact with their attorneys and social workers, and HAP can often not garner sufficient contact information to reestablish services. Access to cell phones and wireless services would allow homeless clients to continue to contact and utilize HAP services despite changes in living situations.

Additionally, the Homeless Advocacy Project works extensively with homeless veterans. Recently, General Shinseki, United States Secretary of Veterans Affairs, vowed to end veteran homelessness within five years. Part of ending homelessness involves providing access to available housing and other benefits. Cell phones would provide homeless veterans with means for gaining access to those crucial benefits.

Cell phones provide a safety valve for individuals who are traveling, sick, or in emergency situations. Furthermore, cell phones can be the crucial conduit to moving individuals from the streets and into permanent, sustainable housing. Technology has shifted telephone communication from within the home to within the palm of individual hands.

Therefore, we urge the FCC to amend the "one-per-household" restriction on Lifeline's wireless services with the hope that those in shelter or on the streets can have the same access to available services. Thank you for your anticipated cooperation with this matter.

Very truly yours,



Marsha I. Cohen, Esq.
Executive Director
Homeless Advocacy Project